

TENNESSEE RULES OF EVIDENCE

RULE 501

PRIVILEGES RECOGNIZED ONLY AS PROVIDED

Advisory Commission Comment

[Change the date of the Comment from 1997 to 1999.]

[Delete the language under “Accountant-Client Privilege” and insert the following:]

(a) Licensees shall not divulge, nor shall they in any manner be required to divulge, any information which is communicated to them or obtained by them by the reason of the confidential nature of their employment. Such information shall be deemed confidential; provided, that nothing herein shall be construed as prohibiting the disclosure of information required to be disclosed by the standards of the public accounting profession in reporting on the examination of financial statements or as prohibiting disclosures in investigations or proceedings under this chapter, in ethical investigations conducted by private professional organizations, or in the course of peer reviews, or to other persons active in the organization performing services for that client on a need to know basis or to persons in the entity who need this information for the sole purpose of assuring quality control. Disclosure of confidential information pursuant to this section shall not constitute a waiver of the confidential nature of such information for any other purpose.

(b) Information derived as a result of such professional employment is deemed to be confidential, except that nothing in any section of this chapter shall be construed as modifying, changing or affecting the criminal or bankruptcy laws of this state or of the United States.

[Under “Deaf Person-Interpreter Privilege,” in the first sentence, change “he” to “the interpreter.”]

[Under “Grand Jury-Witness Privilege,” in the last sentence, change the final words to “witness charged with perjury,” thereby deleting “upon a charge against him.”]

[Change the citation to the “Medical Review Committee-Informant Privilege” to read “T.C.A. §63-6-219(e)”-rather than “(d).”]

[Also within this statute, in the next to last sentence, insert a comma between “affected physician under review” and “does not constitute either a waiver of confidentiality or privilege.”]

[Under “Liability of Mental Health Professional for Disclosure,” at “Duty of Employees,” change cross-referenced citation to “§33-19-302(a)”-rather than “301(a).”]